

**RULES  
OF GEORGIA  
PESTICIDE CONTROL ACT OF 1976**



**GEORGIA DEPARTMENT OF AGRICULTURE**

**THOMAS T. IRVIN**  
Commissioner

RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
**PESTICIDE USE AND APPLICATION**  
  
CHAPTER 40-11-12  
**RESTRICTED USE PESTICIDE DEALERS**

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**40-11-12-.01 Requirement for Licensing.**

A Restricted Use Pesticide Dealer License shall be required for:

- (a) Each outlet located within the State from which restricted use pesticides or pesticides with State restricted uses are distributed;
- (b) The principal out-of-state outlet of any manufacturer, registrant or distributor who has no outlet within the State and who distributes any restricted use pesticide or pesticides with State restricted uses directly to a user within the State. Such principal out-of-state outlet shall be responsible for maintaining all required records pertaining to shipments of such restricted use pesticides into the State from all out-of-state outlets operated by such manufacturer, registrant or distributor;
- (c) A Restricted Use Pesticide Dealer's License shall not be required of any contractor whose sale of pesticides consists only of that included as an integral part of his application service, or of any governmental agency which distributes restricted use pesticides or pesticides with State restricted uses for its own program.

Authority Ga. L. 1976, p. 282. **Administrative History.** Original Rule entitled "Requirement for Licensing" was filed on July 10, 1978; effective July 30, 1978.

**40-11-12-.02 Records.**

(1) Every Restricted Use Pesticide Dealer shall maintain records of sales of all restricted use pesticides or pesticides with State restricted uses. Such records shall include:

- (a) Name of certified private or commercial applicator by whom purchased.
- (b) Certified applicator's State Certification or license number.
- (c) Date of purchase.
- (d) Brandname or tradename of restricted use pesticide or pesticide with State restricted use purchased.

(e) Quantity purchased.

(2) Records may be maintained in the form of a register, invoices, billing tickets, or delivery tickets and must be kept for a period of two (2) years. The Commissioner or his designated agent shall be permitted to inspect records during normal business hours at the place where they are maintained and upon request in writing, shall be furnished a copy of such records.

Authority Ga. L. 1976, p. 282. **Administrative History.** Original Rule entitled "Records" was filed on July 10, 1978; effective July 30, 1978.

#### **40-11-12-.03 Responsibility of Restricted Use Pesticide Dealer.**

Every Restricted Use Pesticide Dealer shall be responsible for the acts of his employees in the solicitation and sale of all pesticides and all claims and recommendations for use of pesticides.

Authority Ga. L. 1976, p. 282. **Administrative History.** Original Rule entitled "Responsibility of Restricted Use Pesticide Dealer" was filed on July 10, 1978; effective July 30, 1978.

#### **40-11-12-.04 Duration of License and Fee.**

All Restricted Use Pesticide Dealer Licenses shall expire December 31 and shall be subject to a \$15.00 annual renewal fee. If such license is not renewed prior to January 1, a double fee of \$30.00 must be paid by the applicant before a renewal is issued.

Authority Ga. L. 1976, p. 282. **Administrative History.** Original Rule entitled "Duration of License and Fee" was filed on July 10, 1978; effective July 30, 1978